

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

MOUNTAIN VALLEY PIPELINE, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No. 7:19-CV-00565
)	
)	
TREE-SITTER 1, et al.,)	
)	
Defendants.)	

PLAINTIFF'S MOTION FOR EXPEDITED TREATMENT
OF ITS MOTION TO REMAND

Plaintiff Mountain Valley Pipeline, LLC ("MVP"), by counsel, for its motion for expedited treatment of its motion to remand, states as follows:

1. This case was improperly removed from state court the day before a hearing on MVP's motion to require defendants to vacate its easements.
2. There is no colorable basis for removal. See MVP's motion to remand. Dkt. No. 6.
3. For the reasons stated in MVP's motion for a temporary injunction filed in state court, MVP is entitled to an order compelling defendants to vacate the property. Dkt. No. 1-2 at 49 and 56. Defendants have no right to occupy the property or to interfere with work on the project. *Id.*
4. MVP requests that this case be remanded to state court so the state court can decide MVP's motion for a temporary injunction.

5. As MVP's motion to remand and motion to expedite were being prepared, MVP received the Court's Order to Show Cause. Dkt. No. 4. In that Order, the Court identified deficiencies in defendants' notice of removal and directed defendants to address them by August 23, 2019.

6. In its motion to remand, MVP has shown that it is not possible for defendants to establish diversity of citizenship. Diversity of citizenship simply does not exist. Therefore, MVP respectfully requests that the Court order an immediate response to MVP's motion to remand.

Respectfully submitted,

MOUNTAIN VALLEY PIPELINE, LLC

By Counsel

Wade W. Massie
VSB No. 16616
Seth M. Land
VSB No. 75101
PENN, STUART & ESKRIDGE
P.O. Box 2288
Abingdon, Virginia 24212
Telephone: 276/628-5151
Facsimile: 276/628-5621
wmassie@pennstuart.com
sland@pennstuart.com

By /s/ Wade W. Massie
Wade W. Massie

CERTIFICATE OF SERVICE

I hereby certify that, on this 16th day of August, 2019, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record.

/s/ Wade W. Massie

Wade W. Massie